

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

See for \$  
Atty Docket: KATO=15

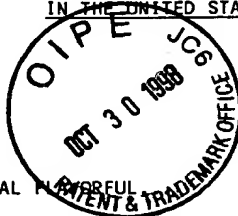
In re Application of:

Yukihisa KATO et al.

Serial No.: 09/144,851

Filed: 01 September 1998

For: FRUIT VINEGAR FROM RAW MATERIAL



) Application Division  
) **ATTN: Box Missing Parts**  
) Washington, D.C.  
) October 30, 1998

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated 17 September 1998.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information.

The following fee is calculated below:

(Col. 1)		(Col. 2)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
BASIC FEE				\$ 395	OR		\$ 790
TOTAL CLAIMS	20 - 20 =		x 11 =	\$	OR	x 22 =	\$
INDEP. CLAIMS	1 - 3 =		x 41 =	\$	OR	x 82 =	\$
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$	OR	+ 270 =	\$
			TOTAL	\$		TOTAL	\$ 790.00

If the difference in Col. 1 is less than zero,

TOTAL \$

TOTAL \$ 790.00

[XX] Late filing of Declaration surcharge in the amount of: Small Entity [ ] \$65.00 Other than Small Entity [XX] \$130.00

[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 55.00

[ ] Second - \$ 200.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[ ] First - \$ 110.00

[ ] Second - \$ 400.00

Month After Time Period Set

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

9XX] Check No. 20308 in the amount of \$ 920.00 is enclosed to cover the above fees.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By:

Norman J. Latker

Registration No. 19,963

11(202)-628-5197 00000003 09144851

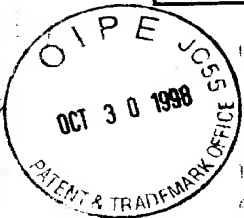
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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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10/27/98 10/27/98 10/27/98  
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DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 790.

- ☒ 1. The statutory basic filing fee is:  
☒ missing.  
☐ insufficient.  
Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:  
☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE